

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

Bail Appl..No. 4029 of 2007()

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CMP.4047/2007 of J.M.F.C.-III, NEYYATTINKARA  
CRIME NO.102/2007 OF KANJIRAMKULAM POLICE STATION  
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PETITIONERS/ACCUSED

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1. SHAJI @ NEELAN, S/O.SOMAN, ELAVINKUZH  
VEEDU, ATHIYANNOOR DESOM, ATHIYANNOOR VILLAGE.
  2. MINI, D/O.MARY, ELAVINKUZH VEEDU,  
ATHIYANNOOR DESOM, ATHIYANNOOR VILLAGE,  
FROM KUNNATHUKUDY VEEDU, ARAYOOR KARA,  
KIZHAKKAMBALAM VILLAGE, ERNAKULAM DISTRICT.

BY ADV. SRI.SAJU.S.A

RESPONDENTS: COMPLAINANT

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STATE OF KERALA,  
REPRESENTED BY PUBLIC PROSECUTOR,  
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 04/07/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**R.BASANT, J.**

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B.A.No.4029 of 2007  
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Dated this the 4<sup>th</sup> day of July 2007

**O R D E R**

Application for regular bail. The petitioners face allegations under the Kerala Abkari Act. The petitioners were allegedly found to be in possession of 7.5 litres of arrack, 10 litres of wash and implements for distillation when they were intercepted by the police on 13/6/2007. They were arrested and continue in custody from that date. The learned Public Prosecutor submits that though there is a crime under Section 307 I.P.C registered against the first accused, the petitioners are not involved in any prior instance of offences under the Kerala Abkari Act.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioners shall be released on bail on the following terms and conditions:

i) The petitioners shall not be released on bail on the strength of this order prior to 16/07/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) They shall execute bonds for Rs. 75,000/- (Rupees seventy five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months and thereafter as and when directed by the investigating officer in writing to do so.

**(R.BASANT, JUDGE)**

jsr

// True Copy//

PA to Judge





**R.BASANT, J.**

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007